

AMENDED IN SENATE JUNE 30, 2009

AMENDED IN ASSEMBLY APRIL 27, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 566**

**Introduced by Assembly Member Nava  
(Principal coauthor: Assembly Member Furutani)**

February 25, 2009

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An act to amend Section 66427.5 of the Government Code, relating to mobilehome parks.

### LEGISLATIVE COUNSEL'S DIGEST

AB 566, as amended, Nava. Mobilehome parks: conversion.

~~(1) The~~

*The Subdivision Map Act requires a subdivider, at the time of filing a tentative or parcel map for a subdivision to be created from the conversion of a mobilehome park to resident ownership, to avoid the economic displacement of nonpurchasing residents by obtaining a survey of support of residents of the mobilehome park for the proposed conversion, among other things. A violation of the act is a crime punishable as a felony or a misdemeanor. The subdivider is required to be subject to a hearing by a legislative body or advisory agency, the scope of which is limited to the issue of compliance with the requirement of conducting a survey and avoiding economic displacement of nonpurchasing residents.*

~~This bill would require that survey of residents of the mobilehome park for proposed conversion to demonstrate support of a majority of the residents of the mobilehome park. Because the bill would expand the scope of an existing crime, it would impose a state-mandated local~~

~~program~~ authorize a legislative body or advisory body, in deciding whether to approve, conditionally approve, or disapprove a map, to additionally consider, in that hearing, whether the survey demonstrates that the majority of residents support the conversion.

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~. State-mandated local program: ~~yes-no~~.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 66427.5 of the Government Code is  
2 amended to read:

3 66427.5. At the time of filing a tentative or parcel map for a  
4 subdivision to be created from the conversion of a rental  
5 mobilehome park to resident ownership, the subdivider shall avoid  
6 the economic displacement of all nonpurchasing residents in the  
7 following manner:

8 (a) The subdivider shall offer each existing tenant an option to  
9 either purchase his or her condominium or subdivided unit, which  
10 is to be created by the conversion of the park to resident ownership,  
11 or to continue residency as a tenant.

12 (b) The subdivider shall file a report on the impact of the  
13 conversion upon residents of the mobilehome park to be converted  
14 to resident-owned subdivided interest.

15 (c) The subdivider shall make a copy of the report available to  
16 each resident of the mobilehome park at least 15 days prior to the  
17 hearing on the map by the advisory agency or, if there is no  
18 advisory agency, by the legislative body.

19 (d) (1) The subdivider shall obtain a survey ~~demonstrating~~  
20 ~~support of a majority of~~ *of support of* the residents of the  
21 mobilehome park for the proposed conversion.

22 (2) The survey of support shall be conducted in accordance with  
23 an agreement between the subdivider and a resident homeowners'  
24 association, if any, that is independent of the subdivider or  
25 mobilehome park owner.

26 (3) The survey shall be obtained pursuant to a written ballot.

1 (4) The survey shall be conducted so that each occupied  
2 mobilehome space has one vote.

3 (5) The results of the survey shall be submitted to the local  
4 agency upon the filing of the tentative or parcel map, to be  
5 considered as part of the subdivision map hearing prescribed by  
6 subdivision (e).

7 (e) The subdivider shall be subject to a hearing by a legislative  
8 body or advisory agency, which is authorized by local ordinance  
9 to approve, conditionally approve, or disapprove the map. The  
10 scope of the hearing shall be limited to the issue of compliance  
11 with this section. *In deciding whether to approve, conditionally*  
12 *approve, or disapprove a map pursuant to this section, the*  
13 *legislative body or advisory agency may additionally consider, in*  
14 *that hearing, whether the survey required by subdivision (d)*  
15 *demonstrates that the majority of residents support the conversion.*

16 (f) The subdivider shall be required to avoid the economic  
17 displacement of all nonpurchasing residents in accordance with  
18 the following:

19 (1) As to nonpurchasing residents who are not lower income  
20 households, as defined in Section 50079.5 of the Health and Safety  
21 Code, the monthly rent, including any applicable fees or charges  
22 for use of any preconversion amenities, may increase from the  
23 preconversion rent to market levels, as defined in an appraisal  
24 conducted in accordance with nationally recognized professional  
25 appraisal standards, in equal annual increases over a four-year  
26 period.

27 (2) As to nonpurchasing residents who are lower income  
28 households, as defined in Section 50079.5 of the Health and Safety  
29 Code, the monthly rent, including any applicable fees or charges  
30 for use of any preconversion amenities, may increase from the  
31 preconversion rent by an amount equal to the average monthly  
32 increase in rent in the four years immediately preceding the  
33 conversion, except that in no event shall the monthly rent be  
34 increased by an amount greater than the average monthly  
35 percentage increase in the Consumer Price Index for the most  
36 recently reported period.

37 ~~SEC. 2. No reimbursement is required by this act pursuant to~~  
38 ~~Section 6 of Article XIII B of the California Constitution because~~  
39 ~~the only costs that may be incurred by a local agency or school~~  
40 ~~district will be incurred because this act creates a new crime or~~

1 ~~infraction, eliminates a crime or infraction, or changes the penalty~~  
2 ~~for a crime or infraction, within the meaning of Section 17556 of~~  
3 ~~the Government Code, or changes the definition of a crime within~~  
4 ~~the meaning of Section 6 of Article XIII B of the California~~  
5 ~~Constitution.~~

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